

1 **Act No. 64 (H.525) Legislative Study Committee on Wetlands**

2 Sec. 21. LEGISLATIVE STUDY COMMITTEE ON WETLANDS;

3 REPORT

4 (a) Creation. There is created the Legislative Study Committee on
5 Wetlands to clarify State wetlands statutes and permitting under the statutes.

6 (b) Membership. The Legislative Study Committee on Wetlands shall be
7 composed of the following members:

8 (1) two current members of the Senate Committee on Agriculture, who
9 shall be appointed by the Committee on Committees;

10 (2) two current members of the Senate Committee on Natural Resources
11 and Energy, who shall be appointed by the Committee on Committees;

12 (3) two current members of the House Committee on Agriculture and
13 Forestry, who shall be appointed by the Speaker of the House; and

14 (4) two current members of the House Committee on Natural Resources,
15 Fish and Wildlife, who shall be appointed by the Speaker of the House.

16 (c) Assistance. The Legislative Study Committee on Wetlands shall have
17 the administrative, technical, and legal assistance of the Office of Legislative
18 Council and the Joint Fiscal Office.

19 (d) Report. On or before January 15, 2020, the Legislative Study
20 Committee on Wetlands shall submit a written report to the General Assembly
21 to update and clarify the requirements for the regulation of wetlands under
22 State statute. The Study Committee shall submit the report in the form of draft
23 legislation and shall include:

1 (1) whether the definition of “wetlands” should be amended, including
2 whether the definition of wetlands under State wetlands law should be based
3 on objective criteria such as size or location;

4 (2) the standard by which the State shall review a permit application for
5 the disturbance of a wetland or wetland buffer;

6 (3) proposed exemptions from regulation under State wetlands law for
7 specific activities, including:

8 (A) whether land on which farming or a subset of farming is
9 conducted should be excluded from the definition of “wetlands” subject to
10 State regulation or should be exempt from wetlands permitting under State
11 law; and

12 (B) whether the exemptions under State wetlands law should be
13 consistent or similar to the exemptions under federal wetlands law; and

14 (4) proposed permitting fees for wetlands permits.

15 (f) Meetings.

16 (1) The Office of Legislative Council shall call the first meeting of the
17 Legislative Study Committee on Wetlands to occur on or before August 1,
18 2019.

19 (2) The Legislative Study Committee on Wetlands shall select a chair
20 from among its members at the first meeting.

21 (3) A majority of the Legislative Study Committee on Wetlands shall
22 constitute a quorum.

1 (4) The Legislative Study Committee on Wetlands shall cease to exist
2 on January 15, 2020.

3 (g) Compensation and reimbursement. For attendance at meetings during
4 adjournment of the General Assembly, a legislative member of the Legislative
5 Study Committee on Wetlands shall be entitled to per diem compensation and
6 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six
7 meetings. These payments shall be made from monies appropriated to the
8 General Assembly.